IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 1272 of 2005

Between:

M/s. Amman Traders, D. No. 10/292, Sundaracherla Street, Proddutur, Kadapa District rep by Proprietor S. Yogeswar Murthy

..... PETITIONER

AND

1 The Superintendent of Police Kadapa District Kadapa
2 The Deputy Superintendent of Police, Proddutur, Kadapa District
3 The Inspector of Police, I Town Police Station, Proddutur, Kadapa District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or direction, preferable to the nature of writ of Mandmaus declaring the action of the respondents in not allowing the petitioner to run the business of Amman Traders by orally ordering for its closure, situated in D. No. 10/292, Sundercherla street, Proddutur, Kadapa District as illegal arbitrary without authority of law and violation of Article 14 19,21 and 300A of constitution of India and consequently direct the respondents not interfere with the petitioners business and pass such other order or orders.

Counsel for the Petitioner:MR.K.RATHANGA PANI REDDY

Counsel for the Respondents: GP FOR HOME

The Court, at the stage of admission, made the following :

ORDER:

Petitioner claims to have established a shop of household consumer articles in Proddutur town in the name of M/s Amman Traders. His complaint is that respondents 2 and 3 are interfering with the same even without initiating any proceedings and registering the case. He asserts that he did not resort to any illegality nor there exists any complaints against him.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

Petitioner asserts that there are no complaints against him and no cases are registered against him. The question of the police interfering with any business undertaking or establishment would arise, if only there exists any complaint from any consumer or any aggrieved citizen. Further, action on such complaints can be taken only after the cases are registered.

Hence, the writ petition is disposed of directing that the respondents shall not in any way interfere with the business of the petitioner, except where a specific complaint is received and cases are registered against the petitioner. No order as to costs.

L.NARASIMHA REDDY, J

Dated : 16.02.2005

Note: Furnish copy

in two days

(B/o)

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To

1 The Superintendent of Police Kadapa District Kadapa
2 The Deputy Superintendent of Police, Proddutur, Kadapa District
3 The Inspector of Police, I Town Police Station, Proddutur, Kadapa District

4 2 CCs to the Government Pleader for Civil Supplies, High Court Buildings, Hyderabad. (OUT)

5 2CD copies.